



## West Point City Council Notice and Agenda

West Point City Municipal Center  
3200 West 300 North  
West Point City, UT 84015

March 4, 2014

**Mayor**  
Erik Craythorne  
**Council**  
Gary Petersen, Mayor Pro Tem  
Jerry Chatterton  
Andy Dawson  
R. Kent Henderson  
Jeff Turner  
**City Manager**  
Kyle Laws

---

### ADMINISTRATIVE SESSION

6:00 pm – Council Room

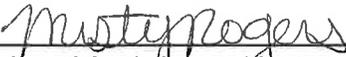
1. Discussion of Municipal Wastewater Planning Program – Mr. Paul Rochell [page 5](#)
2. Discussion of Personnel Policies & Procedures – Mr. Kyle Laws [page 23](#)
3. Discussion of the Building Valuation Schedule – Mr. Boyd Davis [page 25](#)
4. Discussion of Amended Plat for Reagail Estates – Mr. Boyd Davis [page 29](#)

### GENERAL SESSION

7:00 pm – Main Council Chamber

1. Call to Order
2. Pledge of Allegiance
3. Prayer. (Please contact the City Recorder to request meeting participation by offering a prayer or inspirational thought.)
4. Communications and Disclosures from City Council and Mayor
5. Communications from Staff
6. Adoption of Minutes from the January 31, 2014 and February 18, 2014 Council Meetings – Mrs. Misty Rogers [page 35](#)
7. Citizen Comment. (If you wish to make comment to the Council, please use the podium and clearly state your name and address, keeping your comments to a maximum of 2 ½ minutes. Please do not repeat positions already stated. Public comment is a time for the Council to receive new information and perspectives).
8. Youth Council Update
9. Presentation by Gary Hatch, General Manager of the Mosquito Abatement District Davis (MADD)
10. Resolution No 03-04-2014A, Consideration of Adoption of Municipal Wastewater Planning Program – Mr. Paul Rochell
11. Motion to Adjourn

Posted and dated this February 27, 2014

  
\_\_\_\_\_  
MISTY ROGERS, CITY RECORDER

If you plan to attend this meeting and, due to disability, will need assistance in understanding or participating therein, please notify the City at least eight hours prior to the meeting and we will seek to provide assistance.



**TENTATIVE UPCOMING ITEMS**

**Date:** 4/15/2014

**Date:** 3/18/2014

**Administrative Session**

1. Youth Council Charter – Mrs. Jolene Kap
2. Discussion of Bids for 2000 West Waterline Project – Mr. Boyd Davis

**Administrative Session**

**General Session**

**General Session**

1. Announcement of Essay Contest Winners – Mrs. Jolene Kap
2. Award Bid for 2000 West Waterline Project – Mr. Boyd Davis
3. Resolution No. 03-18-2014, Consideration of Adoption of Personnel Policies & Procedures – Mr. Kyle Laws
4. Ordinance 03-18-2014, Consideration of Adoption of the Building Valuation Schedule – Mr. Boyd Davis
5. Consideration of Approval of Reagail Estates Amended Plat – Mr. Boyd Davis

**Future Items**

**Administrative Session**

1. Discussion of Debris Management – Mr. Paul Rochell
2. Discussion of Street Light Replacement – Mr. Kyle Laws
3. Discussion of the West Point City General Plan – Mr. Boyd Davis
4. Discussion of Cemetery Expansion

**Date:** 4/1/2014

**Administrative Session**

1. Discussion of “80% of Lots Sold” Rule – Mr. Boyd Davis
2. Discussion of Rocky Mtn. Power Sub-Station – Mr. Boyd Davis

**General Session**

1. Public Hearing to Consider Modifications to the West Point City General Plan – Mr. Boyd Davis
  - a. Public Hearing
  - b. Action

**General Session**

1. Youth Council Update

# West Point City 2014 Calendar

January

February

March

4 City Council-7pm  
13 Planning Commission-7pm  
17 Senior Lunch-11:30am  
18 City Council-7pm  
27 Planning Commission-7pm

April

1 City Council-7pm  
10 Planning Commission-7pm  
15 City Council-7pm  
19 Easter Egg Hunt-10am  
21 Senior Lunch-11:30am  
24 Planning Commission-7pm

May

1 Cemetery Cleaning  
3 Take Pride Day  
6 City Council-7pm  
14 Council/Staff Lunch-11:30am  
15 Planning Commission-7pm  
19 Senior Lunch-11:30am  
20 City Council-7pm  
26 Memorial Day-Office Closed  
29 Planning Commission-7pm

June

3 City Council-7pm  
12 Planning Commission-7pm  
16 Senior Lunch-11:30am  
17 City Council-7pm  
26 Planning Commission-7pm  
28 Miss West Point Pageant SHS-7pm

July

1 City Council-7pm  
4 Independence Day-Office Closed  
4th of July activities  
10 Planning Commission-7pm  
15 City Council-7pm  
21 Senior Lunch 11:30am  
24 Pioneer Day Observed-Office Closed

August

5 City Council-7pm  
7 Summer Party-5pm  
14 Planning Commission-7pm  
15 Senior Dinner-5:30pm  
19 City Council-7pm  
28 Planning Commission-7pm

September

1 Labor Day-Office Closed  
2 City Council-7pm  
11 Planning Commission-7pm  
15 Senior Lunch-11:30am  
16 City Council-7pm  
25 Planning Commission-7pm

October

2 Cemetery Cleaning  
7 City Council-7pm  
8 Council/Staff Lunch-11:30am  
16 Planning Commission-7pm  
17 Halloween Carnival-7pm  
20 Senior Lunch-11:30am  
21 City Council-7pm  
30 Planning Commission-7pm

November

4 Election Day  
8 Flags on Veteran's Graves YC  
11 Veteran's Day-Office Closed  
13 Planning Commission-7pm  
17 Senior Lunch-11:30am  
18 City Council-7pm  
27-28 Thanksgiving -Office Closed

December

1 City Hall Lighting Ceremony-6:00 pm  
2 City Council-7pm  
5 Christmas Party-7pm  
11 Planning Commission-7pm  
15 Senior Lunch-11:30am  
16 City Council-7pm  
19 Cemetery Luminary-4pm  
25-26 Christmas -Office Closed

January 2015

9-10 Council Retreat

# City Council Staff Report

**Subject:** Municipal Wastewater Planning Program – Annual Report  
**Author:** Paul Rochell  
**Department:** Public Works  
**Date:** March 4, 2014



---

## **Background**

The Municipal Wastewater Planning Annual Report is a program established by the State of Utah Department of Environmental Quality to assist cities in their awareness of their wastewater collection and treatment facilities.

The purpose of the Municipal Wastewater Planning Annual Report is to allow West Point City to identify and solve potential problems in the Wastewater Collection System before they become serious and costly.

Completion of the Self-Assessment Report gives West Point City additional points on the Utah Wastewater Project Priority List. The Priority List is used to allocate funds under the wastewater grant and loan programs.

The results are used to focus on the State's technical assistance programs.

## **Analysis**

The report is a self-assessment report developed by the Department of Environmental Quality. It includes, but is not limited to the following sections and subsections:

### Financial Evaluation

- Operation and Maintenance
- Capital Improvements
- Projected Needs

### Collection system

- System Age
- New Development
- Operator Certification
- Facility Maintenance

In part V (facilities maintenance) of this report you will notice the city was assessed 20 points for not having a written safety plan. These points are not used as a penalty towards West Point but more as a tool for areas that could use improvement. Staff has decided to answer no to the question regarding a written safety plan even though we do follow OSHA guidelines we believe it would be important to develop a written wastewater safety plan in the future.

**Recommendation**

Adopt by Resolution West Point City's Municipal Wastewater Planning Program Self-Assessment Report.

**Significant Impacts**

There are no significant impacts as this time.

**Attachments**

Self-Assessment Report

Resolution No 03-04-2014A

# STATE OF UTAH

## *MUNICIPAL WASTEWATER PLANNING PROGRAM*

### SELF-ASSESSMENT REPORT

FOR

WEST POINT

2013





**DRAFT**

**Resolution Number** 03-04-2014A

**MUNICIPAL WASTEWATER PLANNING PROGRAM RESOLUTION**

RESOLVED that **WEST POINT** informs the Water Quality Board the following actions were taken by the **CITY COUNCIL**

1. Reviewed the attached Municipal Wastewater Planning Program Report for 2013.
2. Have taken all appropriate actions necessary to maintain effluent requirements contained in the UPDES Permit (If Applicable).

Passed by a (majority) (unanimous) vote on

\_\_\_\_\_

(date)

\_\_\_\_\_  
Mayor/Chairman

\_\_\_\_\_  
Attest: Recorder/Clerk



# Municipal Wastewater Planning Program (MWPP) Financial Evaluation Section

Owner Name: *WEST POINT*

Name and Title of Contact Person:

*Paul Rochell*  
*Public Works Director*

Phone: *801-776-0970*

E-mail: *prochell@westpointcity.org*

**PLEASE SUBMIT TO STATE BY: March 1, 2014**

Mail to: MWPP - Department of Environmental Quality  
c/o Paul Krauth, P.E.  
Division of Water Quality  
195 North 1950 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870  
Phone : (801) 536-4346

*NOTE: This questionnaire has been compiled for your benefit by a state sponsored task force comprised of representatives of local government and service districts. It is designed to assist you in making an evaluation of your wastewater system and financial planning. Please answer questions as accurately as possible to give you the best evaluation of your facility. If you need assistance please call, Emily Cantón. Utah Division of Water Quality: (801) 536-4342.*

I. Definitions: The following terms and definitions may help you complete the worksheets and questionnaire:

**User Charge (UC)** - A fee established for one or more class(es) of users of the wastewater treatment facilities that generate revenues to pay for costs of the system.

**Operation and Maintenance Expense** - Expenditures incurred for materials, labor, utilities, and other items necessary for managing and maintaining the facility to achieve or maintain the capacity and performance for which it was designed and constructed.

**Repair and Replacement Cost** - Expenditures incurred during the useful life of the treatment works for obtaining and installing equipment, accessories, and/or appurtenances necessary to maintain the existing capacity and the performance for which the facility was designed and constructed.

**Capital Needs** - Cost to construct, upgrade or improve the facility.

**Capital Improvement Reserve Account** - A reserve established to accumulate funds for construction and/or replacement of treatment facilities, collection lines or other capital improvement needs.

**Reserve for Debt Service** - A reserve for bond repayment as may be defined in accordance with terms of a bond indenture.

**Current Debt Service** - Interest and principal costs for debt payable this year.

**Repair and Replacement Sinking Fund** - A fund to accumulate funds for repairs and maintenance to fixed assets not normally included in operation expenses and for replacement costs (defined above).

## Part I: OPERATION AND MAINTENANCE

Complete the following table:

Question	Points Earned	Total
Are revenues sufficient to cover operation, maintenance, and repair & replacement (OM&R) costs <b><u>at this time?</u></b>	YES = 0 points NO = 25 points	YES
Are the projected revenues sufficient to cover operation, maintenance, and repair & replacement (OM&R) costs for the <b><u>next five years?</u></b>	YES = 0 points NO = 25 points	YES
Does the facility have sufficient staff to ensure proper O&M?	YES = 0 points NO = 25 points	YES
Has a dedicated sinking fund been established to provide for repair & replacement costs?	YES = 0 points NO = 25 points	YES
Is the repair & replacement sinking fund adequate to meet anticipated needs?	YES = 0 points NO = 25 points	YES
<b>TOTAL PART I =</b>		0

## Part II: CAPITAL IMPROVEMENTS

Complete the following table:

Question	Points Earned	Total
Are present revenues collected sufficient to cover all costs and provide funding for capital improvements?	YES = 0 points NO = 25 points	YES
Are projected funding sources sufficient to cover all projected capital improvement costs for the <b><u>next five years?</u></b>	YES = 0 points NO = 25 points	YES
Are projected funding sources sufficient to cover all projected capital improvement costs for the <b><u>next ten years?</u></b>	YES = 0 points NO = 25 points	YES
Are projected funding sources sufficient to cover all projected capital improvement costs for the <b><u>next twenty years?</u></b>	YES = 0 points NO = 25 points	YES
Has a dedicated sinking fund been established to provide for future capital improvements?	YES = 0 points NO = 25 points	YES
<b>TOTAL PART II =</b>		0

**Part III: GENERAL QUESTIONS**

Complete the following table:

Question	Points Earned	Total
Is the wastewater treatment fund a <u>separate enterprise fund/account or district</u> ?	YES = 0 points NO = 25 points	YES
Are you collecting <b>95%</b> or more of your sewer billings?	YES = 0 points NO = 25 points	YES
Is there a review, at least annually, of user fees?	YES = 0 points NO = 25 points	YES
Are bond reserve requirements being met if applicable?	YES = 0 points NO = 25 points	N/A
<b>TOTAL PART III =</b>		<b>0</b>

**Part IV: PROJECTED NEEDS**

Estimate as best you can the following:

Cost of projected capital improvements (in thousands)	2014	2015	2016	2017	2018
	\$270,313	\$0	\$503,000	\$264,000	\$0

**Point Summation**

Fill in the values from Parts I through III in the blanks provided in column 1. Add the numbers to determine the MWPP point total that reflects your present financial position for meeting your wastewater needs.

Part	Points
I	0
II	0
III	0
<b>Total</b>	<b>0</b>

# Municipal Wastewater Planning Program (MWPP) Collection System Section

Owner Name: WEST POINT

Name and Title of Contact Person:

Paul Rochell

Public Works Director

Phone: 801-776-0970

E-mail: prochella@westpointcity.org

**PLEASE SUBMIT TO STATE BY: March 1, 2014**

Mail to: MWPP - Department of Environmental Quality  
c/o Paul Krauth, P.E.  
Division of Water Quality  
195 North 1950 West  
P.O. Box 144870  
Salt Lake City, Utah 84114-4870  
Phone : (801) 536-4346

Form completed by

---

**Part I: SYSTEM AGE**

A. What year was your collection system first constructed (approximately)?

Year 1970's

B. What is the oldest part of your present system?

Oldest part 1970's years

**Part II: BYPASSES**

A. Please complete the following table:

Question	Number	Points Earned	Total Points
How many days last year was there a bypass, overflow or basement flooding by untreated wastewater in the system due to rain or snowmelt?	0	0 times = 0 points 1 time = 5 points 2 times = 10 points 3 times = 15 points 4 times = 20 points 5 or more = 25 points	0
How many days last year was there a bypass, overflow or basement flooding by untreated wastewater due to equipment failure? (except plugged laterals)	0	0 times = 0 points 1 time = 5 points 2 times = 10 points 3 times = 15 points 4 times = 20 points 5 or more = 25 points	0
<b>TOTAL PART II =</b>			0

B. The Utah Sewer Management Program defines sanitary sewer overflows into two classes:

Number of Class 1 SSOs in Calendar year 2013 0

Number of Class 2 SSOs in Calendar year 2013 0

*Class 1* - a Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that:

- (a) effects more than five private structures;
- (b) affects one or more public, commercial or industrial structure(s);
- (c) may result in a public health risk to the general public;
- (d) has a spill volume that exceeds 5,000 gallons, excluding those in single private structures; or
- (e) discharges to Waters of the state.

*Class 2* – a Non-Significant SSO means a SSO or backup that is not caused by a private lateral obstruction or problem that does not meet the Class 1 SSO criteria.

**Part II: BYPASSES (cont.)**

- C. Please specify whether the bypass(es) was caused a contract or tributary communities, etc.

NO BYPASSES OCCURRED IN THIS PASSED YEAR.

---



---



---



---

**Part III: NEW DEVELOPMENT**

- ? A. Please complete the following table:

Question	Points Earned	Total Points
Has an industry (or other development) moved into the community or expanded production in the past two years, such that either flow or wastewater loadings to the sewerage system were significantly increased (10 - 20%)?	No = 0 points Yes = 10 points	0
Are there any major new developments (industrial, commercial, or residential) anticipated in the next 2- 3 years, such that either flow or BOD <sub>5</sub> loadings to the sewerage system could significantly increase (25%)?	No = 0 points Yes = 10 points	0
<b>TOTAL PART III =</b>		0

- B. Approximate number of new residential sewer connections in the last year

63 new residential connections

- C. Approximate number of new commercial/industrial connections in the last year

0 new commercial/industrial connections 51 TOTAL

- D. Approximate number of new population serviced in the last year

252 new people served

**Part IV: OPERATOR CERTIFICATION**

A. How many collection system operators are currently employed by your facility?

3 collection system operators employed

B. What is/are the name(s) of your DRC operator(s)?

PAUL ROCHELL  
 \_\_\_\_\_  
 \_\_\_\_\_

C. You are required to have the collection DRC operator(s) certified at **Grade II**

What is the current grade of the DRC operator(s)? GRADE IV

D. State of Utah Administrative Rules require all operators considered to be in DRC to be appropriately certified. List all the operators in your system by their certification class.

Not Certified \_\_\_\_\_  
 Small Lagoons \_\_\_\_\_  
 Collection I \_\_\_\_\_  
 Collection II ANIBAL MONTEROSO, JAMIE ESQUIVEL  
 Collection III \_\_\_\_\_  
 Collection IV PAUL ROCHELL, KENNY ENGLAND, KASEY GIBSON

E. Please complete the following table:

Question	Points Earned	Total Points
Is/are your DRC operator(s) currently certified at the appropriate grade for this facility? (see C)	Yes = 0 points No = 50 points	<u>YES</u>
How many continuing education units has each of the DRC operator(s) completed over the last 3 years?	3 or more = 0 points less than 3 = 10 points	<u>3 OR MORE</u>
<b>TOTAL PART IV =</b>		<u>0</u>

**Part V: FACILITY MAINTENANCE**

A. Please complete the following table:

Question	Points Earned	Total Points
Do you follow an annual preventative maintenance program?	Yes = 0 points No = 30 points	YES
Is it written?	Yes = 0 points No = 20 points	YES
Do you have a written emergency response plan?	Yes = 0 points No = 20 points	YES
Do you have an updated operations and maintenance manual	Yes = 0 points No = 20 points	YES
Do you have a written safety plan?	Yes = 0 points No = 20 points	No
<b>TOTAL PART V =</b>		<b>20</b>

**Part VI: SUBJECTIVE EVALUATION**

*This section should be with the system operators.*

A. Has your system completed it's the Utah Sewer Management Program.

Yes \_\_\_\_\_ NO

B. Describe the physical condition of the sewer collection system: (lift stations, etc. included)

WE HAVE 1 LIFT STATION THAT PROVIDES SEWER TO APPROX. 90 HOMES, AND  
THE REST OF OUR SYSTEM FLOWS TO NORTH DAVIS SEWER DISTRICT.  
 \_\_\_\_\_  
 \_\_\_\_\_

? C. What sewerage system improvements does the community have under consideration for the next 10 years?

PLANS ARE TO UPGRADE 8" LINE ON 800N. 4650W. - 5000W; REPLACE 8" LINE ON 2000W.  
800 N. - 550N; REPLACE 12" LINE ON 4000W. 1050N. - 1300N; ~~RE~~ INSTALL 10" LINE ON 4000W.  
1050N. - 800N.; INSTALL 10" LINE ON 800 N. 4000W. - 3850W. REPLACE 12" LINE ON 1800N.  
4250W. - 4475 W.

Part VI: SUBJECTIVE EVALUATION (cont.)

D. Explain what problems, other than plugging have you experienced over the last year

THE ONLY PROBLEMS THAT WE'VE HAD OVER THE PAST YEAR HAS BEEN SMALL PROBLEMS WITH OUR SCADA SYSTEM, WHICH SINCE THEN HAS BEEN FIXED.

E. Is your community presently involved in formal planning for system expansion/upgrading? If so explain.

YES, WEST POINT CITY SANITARY SEWER CAPITAL FACILITIES PLAN, WE UPDATE THIS PLAN EVERY FIVE YEARS.

F. Has your system completed it's *System Evaluation and Capacity Assurance Plan* As defined by the Utah Sewer Management Program.

Yes  NO

G. Does the municipality/district pay for the continuing education expenses of operators?

ALWAYS  SOMETIMES  NO

If they do, what percentage is paid?

approximately 100 %

H. Is there a written policy regarding continuing education and training for wastewater operators?

YES  NO



## POINT SUMMATION

Fill in the values from Parts II through V in the blanks provided in column 1. Add the numbers to determine the MWPP point total that your wastewater facility has generated for the past twelve months.

Part	Points
II	0
III	0
IV	0
V	20
Total	20

# City Council Staff Report

**Subject:** Personnel Policies & Procedures  
**Author:** Kyle Laws  
**Department:** Executive  
**Date:** March 4, 2014



## Background

At our last City Council Meeting on February 18<sup>th</sup>, we discussed the policies and procedures dealing with employment classifications and compensation. We started going through the leave policies but did not finish that section. At this meeting we will finish the leave policy section.

The Personnel Policies & Procedures (PP&P) Manual has been in need of updating for several years. There are several statements or policies that are out of date, possibly illegal, and in many cases not clearly stated. In some cases the practice for many years has differed from the written policy. The question has arisen on whether it is good to follow bad policy or better to simply ignore bad policy. The answer is that neither option is good and the best solution is to update and revise the policy.

## Analysis

Each section of the PP&P manual needs to be revised and updated. An entire revision may be too much of an overload for us to review at once so I have decided to revise it in sections. For this meeting I have chosen the section that I think needs the most urgent attention, "Employment Classifications" and "Compensation, Leaves, & Benefits." Although, having said that, you will notice that the Benefits section is not included. This will be brought back separately at a later date.

There is no easy way to explain the changes in writing so I will leave that discussion primarily to our meeting. However, it will be important for you to understand a few things about the document. I have used different colors to help guide you through the changes and revisions:

- All old language that will be deleted is shown with ~~striketrough~~ formatting.
- Language in **black** is old/previous language that will not be changed.
- Language in **red** is written in a new way but the content is consistent with old/previous language.
- Language in **blue** is new language, either to clarify how the policy was previously stated or new policies that were important to include.

The Council's primary focus will likely be on the blue language, but it is strongly encouraged and recommended that the entire document be reviewed and any questions, comments, or suggestions regarding these revisions be brought into the discussion.

I have reviewed these changes with the Management Team as a group and have met several times individually with members of the Management Team. These discussions have been very productive and insightful to all. I have also reviewed this at length with our HR Manager, Laura Gamon.

The attached document will be sent to our City Attorney, Felshaw King, for his review prior to the Council taking any formal action to approve it.

**Recommendation**

No formal action is required at this time. This is for discussion purposes only, but Staff would like any feedback or direction the Council may have.

**Significant Impacts**

There are no significant impacts at this time.

**Attachments**

Personnel Policies & Procedures – Employment Classifications, Compensation, Leaves & Benefits

# City Council Staff Report

**Subject:** Building Valuation Fee Schedule  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** March 4, 2014



---

## **Background**

The cost of a building permit is based upon the square footage and the valuation of the proposed structure. The valuation of the building is obtained from a schedule that is published by the International Conference of Building Officials. As this schedule is updated from time to time, it would be advantageous to amend our code in such a way as to automatically adopt the new schedule when published.

## **Analysis**

Staff recommends the following language be added to the code:

ADOPTION OF THE VALUATION SCHEDULE: The City hereby adopts by reference the valuation schedule from the Building Standards Magazine published by the International Conference of Building Officials to be used in determining the valuation of new construction. Updated editions shall be incorporated herein by reference and shall be effective upon the date of publishing. West Point City will use the regional modifier for Utah using average cost per square foot as may apply.

After reviewing the most recent edition of the valuation schedule it is determined that an average building permit fee for a new house will increase by approximately \$75.

## **Recommendation**

No action necessary. This is for information only. Staff would appreciate any comments that the Council may have.

## **Significant Impacts**

None.

## **Attachments**

Valuation Schedule



## Important Points

- The BVD is not intended to apply to alterations or repairs to existing buildings. Because the scope of alterations or repairs to an existing building varies so greatly, the Square Foot Construction Costs table does not reflect accurate values for that purpose. However, the Square Foot Construction Costs table can be used to determine the cost of an addition that is basically a stand-alone building which happens to be attached to an existing building. In the case of such additions, the only alterations to the existing building would involve the attachment of the addition to the existing building and the openings between the addition and the existing building.
- For purposes of establishing the Permit Fee Multiplier, the estimated total annual construction value for a given time period (1 year) is the sum of each building's value (Gross Area x Square Foot Construction Cost) for that time period (e.g., 1 year).
- The Square Foot Construction Cost does not include the price of the land on which the building is built. The Square Foot Construction Cost takes into account everything from foundation work to the roof structure and coverings but does not include the price of the land. The cost of the land does not affect the cost of related code enforcement activities and is not included in the Square Foot Construction Cost.

### Square Foot Construction Costs <sup>a, b, c, d</sup>

Group (2012 International Building Code)	IA	IB	IIA	IIB	IIIA	IIIB	IV	VA	VB
A-1 Assembly, theaters, with stage	224.49	217.12	211.82	202.96	190.83	185.33	196.14	174.43	167.83
A-1 Assembly, theaters, without stage	205.71	198.34	193.04	184.18	172.15	166.65	177.36	155.75	149.15
A-2 Assembly, nightclubs	177.15	172.12	167.31	160.58	150.83	146.74	154.65	136.68	132.81
A-2 Assembly, restaurants, bars, banquet halls	176.15	171.12	165.31	159.58	148.83	145.74	153.65	134.68	131.81
A-3 Assembly, churches	207.73	200.36	195.06	186.20	174.41	168.91	179.38	158.02	151.41
A-3 Assembly, general, community halls, libraries, museums	173.36	165.99	159.69	151.83	138.90	134.40	145.01	122.50	116.89
A-4 Assembly, arenas	204.71	197.34	191.04	183.18	170.15	165.65	176.36	153.75	148.15
B Business	179.29	172.71	166.96	158.70	144.63	139.20	152.43	126.93	121.32
E Educational	192.11	185.49	180.05	171.90	160.09	151.62	165.97	139.90	135.35
F-1 Factory and industrial, moderate hazard	108.42	103.32	97.18	93.38	83.24	79.62	89.22	68.69	64.39
F-2 Factory and industrial, low hazard	107.42	102.32	97.18	92.38	83.24	78.62	88.22	68.69	63.39
H-1 High Hazard, explosives	101.53	96.44	91.29	86.49	77.57	72.95	82.34	63.02	N.P.
H234 High Hazard	101.53	96.44	91.29	86.49	77.57	72.95	82.34	63.02	57.71
H-5 HPM	179.29	172.71	166.96	158.70	144.63	139.20	152.43	126.93	121.32
I-1 Institutional, supervised environment	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
I-2 Institutional, hospitals	302.44	295.85	290.11	281.84	266.80	N.P.	275.58	249.09	N.P.
I-2 Institutional, nursing homes	209.38	202.79	197.05	188.78	175.72	N.P.	182.52	158.01	N.P.
I-3 Institutional, restrained	204.27	197.68	191.94	183.67	171.10	164.68	177.41	153.40	145.80
I-4 Institutional, day care facilities	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
M Mercantile	132.04	127.01	121.20	115.47	105.47	102.39	109.54	91.33	88.45
R-1 Residential, hotels	179.14	172.89	167.90	160.83	147.95	144.10	160.52	132.93	128.36
R-2 Residential, multiple family	150.25	143.99	139.01	131.94	119.77	115.91	131.62	104.74	100.18
R-3 Residential, one- and two-family	141.80	137.90	134.46	131.00	125.88	122.71	128.29	117.71	110.29
R-4 Residential, care/assisted living facilities	177.76	171.50	166.52	159.45	146.31	142.45	159.13	131.29	126.72
S-1 Storage, moderate hazard	100.53	95.44	89.29	85.49	75.57	71.95	81.34	61.02	56.71
S-2 Storage, low hazard	99.53	94.44	89.29	84.49	75.57	70.95	80.34	61.02	55.71
U Utility, miscellaneous	75.59	71.22	66.78	63.37	56.99	53.22	60.41	44.60	42.48

- a. Private Garages use Utility, miscellaneous  
b. Unfinished basements (all use group) = \$15.00 per sq. ft.  
c. For shell only buildings deduct 20 percent  
d. N.P. = not permitted



# City Council Staff Report

**Subject:** Reagail Estates Amended Plat  
**Author:** Boyd Davis  
**Department:** Community Development  
**Date:** March 4, 2014



## **Background**

Lot 5 of the Reagail Estates subdivision is too small and does not meet the requirements of the City Code. The developer has been working on this issue for a number of years and has finally made an agreement with Rocky Mountain Power to acquire the additional area required to make the lot large enough to build on. The developer has submitted a petition to amend the original plat to include the new area.

## **Analysis**

State code allows a subdivision plat to be amended without holding a public hearing or sending out notices if the amendment is essentially to adjust a lot line and if it does not create any additional lots. This amendment simply adds a small amount of property to an existing lot within the subdivision and no new lots are being created. Therefore a public hearing is not required.

State code also requires that a petition to amend the plat be submitted that includes the signatures of all of the affected property owners. In this case there are two affected property owners: Rocky Mountain Power, and M&D Developers.

Staff's review of the amended plat discovered some errors as noted on the attached report. If the Planning Commission chooses to approve the amended plat, it must be subject to these errors being corrected.

## **Recommendation**

Staff recommends approval of the amended plat subject to the corrections being made.

## **Significant Impacts**

None

## **Attachments**

Engineer's Review Letter, Plat



MEMORANDUM

To: Reeve & Associates

From: Boyd Davis, P.E.

cc: West Point City Planning Commission

**RE: REGAIL ESTATES SUBDIVISION 1<sup>ST</sup> AMENDMENT PLAT REVIEW**

Date Plans Received: February 14, 2014

Date Reviewed: February 25, 2014

---

I have completed a review of the amended plat for the subject subdivision and offer the following comments for your review:

1. Plat
  - b. The boundary of the amended lot 5 does not match the existing lot 4.
  - c. Lot 6's fence line overlaps the amended lot 5 by 20 ft. Lot 6 should also be amended.
  - d. The existing public utility easement must be shown with a note indicating that it will be vacated with the recording of this plat and replaced with a new easement in the correct location.
  - e. Two corporate acknowledgements may be needed depending on the signers of the plat. The current owners are Rocky Mountain Power and M&D Developers.
  - f. The tie to the section corner does not match the tie to the section corner on the original plat.



# REAGAIL ESTATES SUBDIVISION 1ST AMENDMENT

AMENDING LOT 5

PART OF THE SOUTHWEST QUARTER OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY  
WEST POINT CITY, DAVIS COUNTY, UTAH  
FEBRUARY, 2014

**SURVEYOR'S CERTIFICATE**  
I, **ROBERT D. KUNZ**, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND LAND SURVEYORS ACT; AND THAT I HAVE COMPLETED A SURVEY OF THE PROPERTY DESCRIBED ON THIS PLAT IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED ALL MEASUREMENTS, AND HAVE PLACED MONUMENTS AS REPRESENTED ON THIS PLAT, AND THAT THIS PLAT OF **REAGAIL ESTATES SUBDIVISION 1ST AMENDMENT AMENDING LOT 5 IN WEST POINT CITY, DAVIS COUNTY, UTAH**, HAS BEEN DRAWN CORRECTLY TO THE DESIGNATED SCALE AND IS A TRUE AND CORRECT REPRESENTATION OF THE HEREIN DESCRIBED LANDS INCLUDED IN SAID SUBDIVISION, BASED UPON DATA COMPILED FROM RECORDS IN THE **DAVIS COUNTY** RECORDER'S OFFICE AND FROM SAID SURVEY MADE BY ME ON THE GROUND, I FURTHER CERTIFY THAT THE REQUIREMENTS OF ALL APPLICABLE STATUTES AND ORDINANCES OF **WEST POINT CITY, DAVIS COUNTY** CONCERNING ZONING REQUIREMENTS REGARDING LOT MEASUREMENTS HAVE BEEN COMPLIED WITH.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

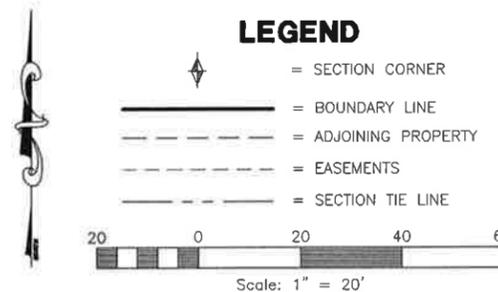
150228

UTAH LICENSE NUMBER

ROBERT D. KUNZ



## LEGEND



## BASIS OF BEARINGS

THE BASIS OF BEARINGS FOR THIS PLAT IS THE SECTION LINE BETWEEN THE SOUTH QUARTER CORNER AND THE SOUTHWEST CORNER OF SECTION 34, TOWNSHIP 5 NORTH, RANGE 2 WEST, SALT LAKE BASE AND MERIDIAN, U.S. SURVEY. SHOWN HEREON AS: S89°59'45"W

## NARRATIVE

THE PURPOSE OF THIS PLAT IS TO AMEND LOT 5 OF REAGAIL ESTATES SUBDIVISION. ALL BOUNDARY CORNERS AND REAR LOT CORNERS WERE SET WITH A 3/8" REBAR AND PLASTIC CAP STAMPED "REEVE & ASSOCIATES". ALL FRONT LOT CORNERS WERE SET WITH A LEAD PLUG IN THE TOP BACK OF CURB AT THE EXTENSION OF THE SIDE LOT LINES.

## BOUNDARY DESCRIPTION

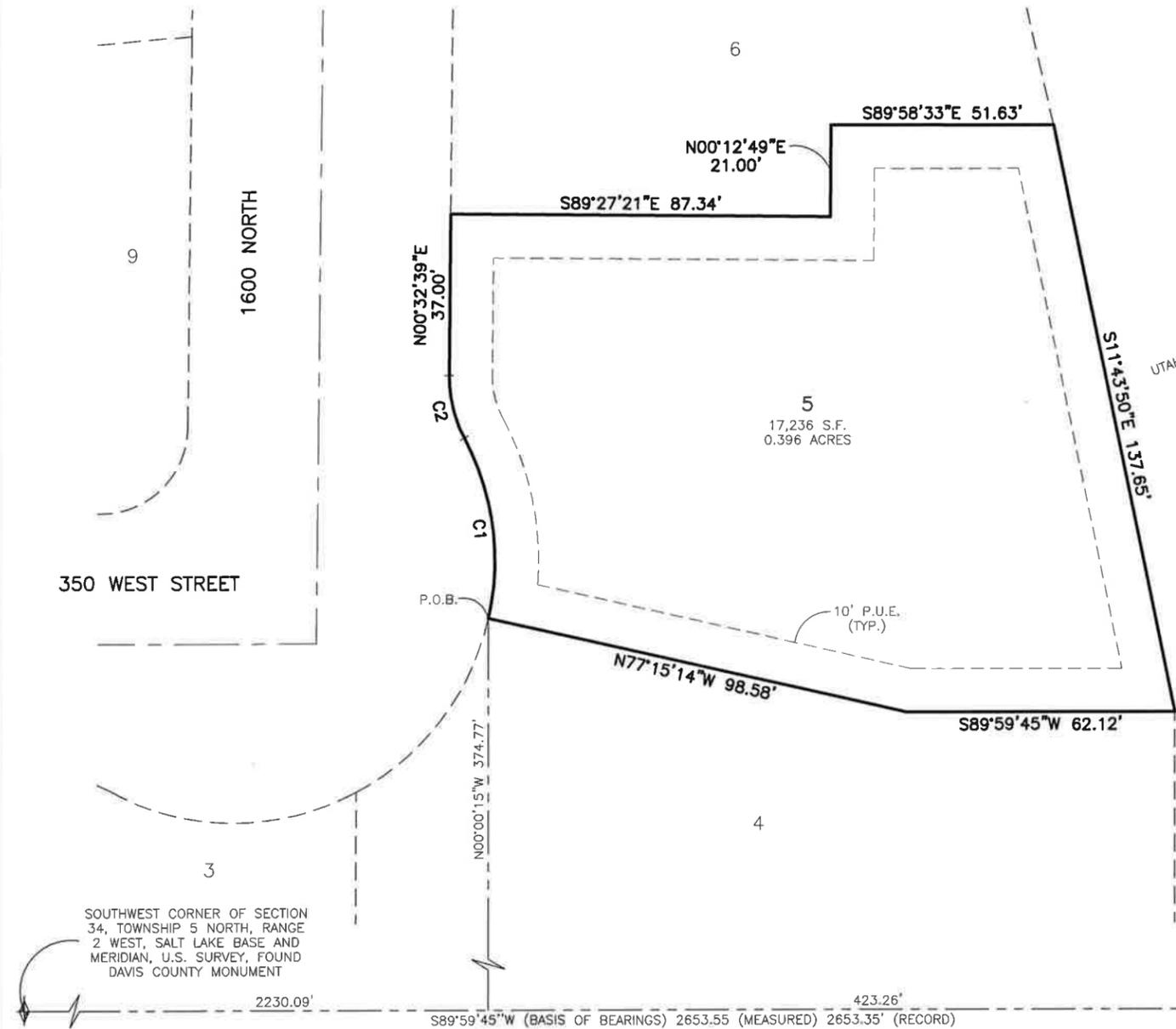
PART OF THE SOUTH HALF OF SECTION 32, T.7N., R.1W., S.L.B.&M., U.S. SURVEY. DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 5 OF REAGAIL ESTATES SUBDIVISION; THENCE ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 42.75 FEET, A RADIUS OF 60.00 FEET, A CHORD BEARING OF N07°40'00"W, AND A CHORD LENGTH OF 41.85 FEET; THENCE ALONG A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 14.99 FEET, A RADIUS OF 30.00 FEET, A CHORD BEARING OF N13°46'03"W, AND A CHORD LENGTH OF 14.83 FEET; THENCE N00°32'39"E 37.00 FEET TO THE NORTHWEST CORNER OF SAID LOT 5; THENCE S89°27'21"E 87.34 FEET TO THE NORTHEAST CORNER OF SAID LOT 5; THENCE N00°12'49"E 21.00 FEET; THENCE S89°58'33"E 51.63 FEET; THENCE S11°43'50"E 137.65 FEET; THENCE S89°59'45"W 62.12 FEET; THENCE N77°15'14"W 98.58 FEET TO THE POINT OF BEGINNING.

CONTAINING 17,236 SQUARE FEET OR 0.396 ACRES

## CURVE TABLE

#	RADIUS	ARC LENGTH	CHD LENGTH	TANGENT	CHD BEARING	DELTA
C1	60.00'	42.75'	41.85'	22.33'	N07°40'00"W	40°49'32"
C2	30.00'	14.99'	14.83'	7.65'	N13°46'03"W	28°37'25"



## OWNERS DEDICATION AND CERTIFICATION

WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND, DO HEREBY SET APART AND SUBDIVIDE THE SAME INTO LOTS AND STREETS AS SHOWN ON THE PLAT AND NAME SAID TRACT **REAGAIL ESTATES SUBDIVISION 1ST AMENDMENT AMENDING LOT 5**, AND DO HEREBY DEDICATE TO PUBLIC USE ALL THOSE PARTS OR PORTIONS OF SAID TRACT OF LAND DESIGNATED AS STREETS, THE SAME TO BE USED AS PUBLIC THOROUGHFARES ALSO TO GRANT AND DEDICATE A PERPETUAL RIGHT AND EASEMENT OVER, UPON AND UNDER THE LANDS DESIGNATED HEREON AS PUBLIC UTILITY, STORM WATER DETENTION PONDS, DRAINAGE EASEMENTS AND CANAL MAINTENANCE EASEMENT, THE SAME TO BE USED FOR THE INSTALLATION MAINTENANCE AND OPERATION OF PUBLIC UTILITY SERVICE LINE, STORM DRAINAGE FACILITIES, IRRIGATION CANALS OR FOR THE PERPETUAL PRESERVATION OF WATER CHANNELS IN THEIR NATURAL STATE WHICHEVER IS APPLICABLE AS MAY BE AUTHORIZED BY THE GOVERNING AUTHORITY, WITH NO BUILDINGS OR STRUCTURES BEING ERRECTED WITHIN SUCH EASEMENTS.

SIGNED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

## ACKNOWLEDGMENT

STATE OF UTAH )ss.  
COUNTY OF \_\_\_\_\_ )  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, \_\_\_\_\_ (AND) \_\_\_\_\_ SIGNER(S) OF THE ABOVE OWNER'S DEDICATION AND CERTIFICATION, WHO BEING BY ME DULY SWORN, DID ACKNOWLEDGE TO ME \_\_\_\_\_ SIGNED IT FREELY, VOLUNTARILY, AND FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

## ACKNOWLEDGMENT

STATE OF UTAH )ss.  
COUNTY OF \_\_\_\_\_ )  
ON THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, \_\_\_\_\_ (AND) \_\_\_\_\_ BEING BY ME DULY SWORN, ACKNOWLEDGED TO ME THEY ARE \_\_\_\_\_ AND \_\_\_\_\_ OF SAID CORPORATION AND THAT THEY SIGNED THE ABOVE OWNER'S DEDICATION AND CERTIFICATION FREELY, VOLUNTARILY, AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED.

COMMISSION EXPIRES \_\_\_\_\_ NOTARY PUBLIC

## PROJECT INFORMATION

Surveyor: **R. KUNZ** Project Name: **REAGAIL ESTATES 1ST AMD LOT 5**  
Designer: **N. ANDERSON** Number: **3442-14**  
Begin Date: **02-14-14** Scale: **1"=20'**  
Revision: \_\_\_\_\_  
Checked: \_\_\_\_\_

## DAVIS COUNTY RECORDER

ENTRY NO. \_\_\_\_\_ FEE PAID \_\_\_\_\_  
AND RECORDED, \_\_\_\_\_ AT \_\_\_\_\_  
IN BOOK \_\_\_\_\_ OF \_\_\_\_\_  
THE OFFICIAL RECORDS, PAGE \_\_\_\_\_  
RECORDED FOR: \_\_\_\_\_

DAVIS COUNTY RECORDER

DEPUTY



**WEST POINT CITY PLANNING COMMISSION**  
APPROVED THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BY THE WEST POINT CITY PLANNING COMMISSION.  
CHAIRMAN, WEST POINT CITY PLANNING COMMISSION

**WEST POINT CITY ENGINEER**  
I HEREBY CERTIFY THAT THIS OFFICE HAS EXAMINED THIS PLAT AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.  
WEST POINT CITY ENGINEER DATE

**WEST POINT CITY COUNCIL**  
PRESENTED TO THE WEST POINT CITY COUNCIL THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, AT WHICH TIME THIS SUBDIVISION WAS APPROVED AND ACCEPTED.  
WEST POINT CITY MAYOR ATTEST: \_\_\_\_\_ CITY RECORDER

**WEST POINT CITY ATTORNEY**  
APPROVED BY THE WEST POINT CITY ATTORNEY THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_.  
WEST POINT CITY ATTORNEY





**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
February 18, 2014**

**Mayor**  
Erik Craythorne  
**Council**  
Gary Petersen, Mayor Pro Tem  
Jerry Chatterton  
Andy Dawson  
R. Kent Henderson  
Jeffrey Turner  
  
**City Manager**  
Kyle Laws

**Administrative Session**  
**6:00 PM**

Minutes for the West Point City Council Administrative Session held February 18, 2014 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

**MAYOR AND COUNCIL MEMBERS PRESENT** – Mayor Erik Craythorne, Council Member Gary Petersen, Council Member Jerry Chatterton, Council Member Andy Dawson, and Council Member Kent Henderson

**EXCUSED** – Council Member Jeff Turner

**CITY EMPLOYEES PRESENT** – Kyle Laws, City Manager; Evan Nelson, Administrative Services Director; and Misty Rogers, City Recorder

Mayor Craythorne excused Council Member Turner and then turned the time over to Mr. Laws.

**1. Syracuse High Graduation Grant** – Mr. Kyle Laws

Each year, Syracuse High holds a party for the graduating class. Syracuse High submitted a request for West Point City to donate money to assist with the graduation party. Mr. Laws stated the Grant and Donation Committee approved a donation in the amount of \$500 for the Syracuse High Graduation Party.

Council Member Chatterton asked the names of the individuals on the Grant and Donation Committee. Mr. Laws stated the Grant and Donation Committee currently consisted of three individuals, Mr. Davis, Mrs. Rogers, and Council Member Chatterton. He then informed the Council that in the future Council Member Jeff Turner would be assigned to work with the Grant and Donation Committee.

**2. Discussion of Personnel Policies & Procedures** – Mr. Kyle Laws

Mr. Laws stated the West Point City Personnel Policies & Procedures handbook has needed revision for several years. He then stated only portions of the manual would be discussed during the Administrative Session held on February 18<sup>th</sup>, other sections from the manual will be brought before Council in future meetings.

Mr. Laws expressed concern with some of the policies found in the current personnel handbook. He stated as laws have changed, the handbook has not been updated to reflect current law. Mr. Laws informed the Council that many of the items found within the revisions were currently in practice. He then proposed the following revisions to the Personnel Policies & Procedures to the Council.

**EMPLOYMENT CLASSIFICATIONS**

Part-time/Regular:

1. Benefited Part-time Employees - The Utility Billing Clerk Position is currently the only position with West Point City that qualifies as a Benefited Part-time employee. This position is eligible for full benefits, including insurance.

2. Partial Benefited Employees – Most other positions working 20 – 25 hours per week qualify as a partial benefited employee. They receive a prorated sick leave, vacation leave, and retirement benefits.
3. Non-Benefited Employees – Positions working less than 30 hours per week, with West Point City having the option of not providing leave benefits.

Council Member Dawson asked how Staff would determine if a position would fall under a Partial Benefited Employee or a Non-Benefited Employee. Mr. Laws stated West Point City is not required to provide benefits to part-time employees. He then stated that because the City provided partial benefits to a few employees in the past, the City is required to provide retirement to those employees as well. Mr. Laws then stated as positions are created or new employees are hired for a position, the Council or Staff could determine if the part-time position should be eligible for leave benefits.

Council Member Petersen asked if the H.R. Department had reviewed the proposed revisions. Mr. Laws stated yes, the H.R. Department had reviewed the proposed revisions to the handbook. He then stated all revisions would be sent to Mr. Felshaw King, the West Point City Attorney for review and approval.

Council Member Petersen and Council Member Henderson recommended additional language be added to distinguish between a Partial Benefited Employee and Non-Benefited Employee.

Council Member Dawson recommended using a set amount of hours to distinguish between a Partial Benefited and Non-Benefited Employees. Mr. Laws stated he would discuss the proposed wording and the recommendations from the Council with the West Point City Attorney.

Mayor Craythorne stated each position posting and job description will state if the position is a Partial Benefited or Non-Benefited Employee.

Seasonal/Intern: The previous policy stated a seasonal employee couldn't be employed by the City for over nine months and that they could only be rehired after a three month break in employment. Mr. Laws stated the previous policy was good practice, however he recommended the following revisions: "An employee hired to work up to 40 hours per week to a maximum of 1560 hours during a rolling year (from hire date), are at-will, and not eligible for City benefits. Seasonal employees are normally employed for up to six (6) months but may be employed for up to twelve (12) months provided they do not exceed 1560 hours during the rolling year". The proposed language will keep the employment under a 75% employment status.

Council Member Chatterton recommended adding volunteer polices into a section of the handbook, including requirements for B.C.I. checks.

Probation: Mr. Laws stated the probationary period for an employee is six months. Council Member Dawson recommended possibly reducing the probationary period for employees to 90 days verses 6 months. Mr. Laws stated a six month probationary period is a common practice.

## **COMPENSATION, LEAVES, & BENEFITS**

Work Hours: Work hours for employees are determined by the City Manager. The City Manager may change employee work hours on a permanent basis as determined to be in the best interest of the City. Temporary changes to employee work hours shall be at the Department Director's discretion.

Classifications: The City assigns each position a pay range as established by the City's pay plan. The pay plan reflects internal and external equities, based upon assigned duties and responsibilities, and market comparisons. Market research is conducted bi-annually by the Human Resources Manager.

Council Member Dawson asked who would conduct the bi-annual market study if West Point City didn't have a Human Resources Manager.

Council Member Dawson and Council Member Petersen recommended either removing the entire sentence "Market research is conducted bi-annually by the Human Resources Manager" or revising it to read, "Market research is conducted bi-annually". Mr. Laws recommended the following sentence, "Market research is conducted bi-annually or as needed".

Payroll – All employees are paid bi-weekly. Each paycheck will include earnings for all work performed through the end of the previous payroll period or applicable work period.

- a. The work week begins at 12:01 am on Monday and ends on Sunday night at 12:00 midnight for all employees except as otherwise authorized in writing by the City Manager.

The Public Works Department works a 9/80 schedule. Their work week begins at 10:31 am on Friday and ends at 10:30 am on Friday. On Friday's the Public Works Department calculates from 6:30 am – 10:30 am on the current work week and calculates from 10:31 am – 3:30 pm on the next work week. Timecards are adjusted to accommodate the same pay periods and pay dates as all other employees.

Mr. Laws informed the Council that while working for South Jordan, he had the opportunity to assist with revising the Employee Handbook. Therefore, many of the suggestions have come from the South Jordan Handbook.

- b. Employees and supervisors are responsible for accurately recording and reporting time worked and leave used on their timecards.
- c. Employees may voluntarily authorize deductions from their paychecks to cover the costs of participation in City approved programs. Employees should review any discrepancies in payroll deductions with the City Treasurer, Finance Director, or Human Resources Manager.
- d. Upon receipt of a valid garnishment, the City shall withhold the garnishment wages until a court order is received indicating satisfaction of the indebtedness.
- e. An employee may not receive an unearned pay advance, except as authorized by the City Manager.

The Council recommended removing the following section:

- e. An employee may not receive an unearned pay advance, except as authorized by the City Manager.

Merit Increase – Employees may receive merit increases based on performance evaluations and according to availability of funds as allocated by the City Council through the budget process.

Market Adjustment/COLA – Employees may receive market adjustments as determine appropriate and according to availability of funds as allocated by the City Council through the budget process.

Overtime Provisions – It is the general policy of West Point not to have employees work overtime. However, employees may be required to work overtime as deemed necessary and pre-authorized by the City Manager or Department Director.

- a. Overtime is payment received for time worked.
- b. Overtime is calculated based on actual time worked.
  - 1. Time worked includes those hours an employee is working, as well as jury duty, or witness duty.

2. Time worked does not include vacation leave, sick leave, holiday leave, paid military leave, or compensatory time.
- c. Overtime is payment received for time worked:
1. In excess of 40 hours per work week for non-exempt employees.
  2. On the day of the City Celebration (Independence Day) for authorized employees.
- d. In situations where the mayor has declared a “Local State of Emergency,” FLSA non-exempt employees whose work assists the response during the designated emergency will be paid time and a half for any emergency hours worked in addition to their normal work schedule. Compensatory time will not be accrued.

Council Member Chatterton asked who had the capability to authorize overtime. Mr. Laws stated the City Manager or the Department Director would have the ability to approve or deny overtime.

Compensatory Time Provisions – When it is in the best interest of West Point City, the City reserves the right to grant compensatory time in lieu of overtime wages to FLSA non-exempt employees. Compensatory time must be pre-authorized by the City Manager or Department Directors.

- a. Compensatory time accrual and time worked calculations are the same as overtime provisions.
- b. An employee with accrued compensatory time leave that requests use of the time will be permitted to use it within a reasonable period after making the requests if it does not unduly disrupt the operations of the Department.
- c. The City may require an employee to use accrued compensatory time.
- d. The maximum hours of compensatory time which may be used accrued is 80 hours.
- e. Compensatory time accrued will be deducted prior to any use of requested vacation leave.
- f. The accrued compensatory time of an employee transferred between divisions of moving to FLSA exempt status shall be compensated prior to such addition.
- g. All accrued compensatory time shall be compensated and paid to zero during the last pay period of the calendar year for any employee with a compensatory time balance.
- h. The City Manager may authorize compensatory time for part-time employees as deemed appropriate.

Council Member Petersen asked if any employees had expressed concern with cashing out compensatory time during the last pay period of the calendar year. Mr. Laws stated he hadn’t received any complaints. Council Member Petersen stated in past years, compensatory time was collected until December 1<sup>st</sup> and then paid out. This allowed the snow plow drivers the ability to carry compensatory time into the next calendar year.

The Council agreed, paying out compensatory time on December 1<sup>st</sup> of each year would provide the best benefit to the employees.

Call Back Compensation – Any FLSA non-exempt employee called back to work shall be entitled to call back compensation for actual time worked. The minimum call back compensation shall be two (2) hours. Call back time outside of regular work hours will be compensated at the overtime rate.

Council Member Petersen asked if “call backs” are common. Mr. Laws stated yes, occasionally, employees are called back for water leaks, etc. He then clarified that telephone calls do not qualify for call back compensation.

Mayor Craythorne reminded the Council that items being discussed regarding call back compensation had been in practice for many years and nothing new was being proposed to the Council

Council Member Chatterton asked for clarification with regards to the call back compensation. Mr. Laws stated an employee is paid two hours minimum of regular wages for any call back under two hours and overtime wages take effect after two hours worked.

Council Member Petersen and Council Member Chatterton recommended rewording the Call Back Compensation definition in the proposed language to distinguish between the differences in pay.

Mr. Evan Nelson clarified that all call back hours are paid as overtime, including the initial 2 hours. The Council agreed that if this was the practice and intent that rewording was not needed.

Mr. Laws stated the intention of the proposed language clarifies that call back time ends and when regular hours begin.

On Call Compensation – As required, a schedule of on call FLSA non-exempt employees may be prepared in advance and maintained by the Department Director.

- a. Any position requiring an on-call status shall be on a one week rotation basis.
- b. On-call employees must be able to respond to work site within a thirty (30) minute time frame and in compliance with the City’s Drug/Alcohol Policy.
- c. On-call employees shall be paid \$20 per day.

Council Member Dawson asked if paying an on-call employee \$20 per day (\$0.83 per hour) is sufficient. He stated an on-call employee is extremely limited with the use of his personal time. Mr. Laws stated the \$20 per day for on-call employees is more generous than some other cities.

Council Member Petersen asked if an on-call employee could have another Public Works employee respond in their behalf. Mr. Laws stated that an on-call employee is expected to personally respond unless unforeseen circumstances arise.

The City Council and Mayor Craythorne stated paying an on-call employee \$20 per day was adequate.

IRS Requirements for City Vehicle Use for Commuting

- a. Personal use of City take-home or on-call vehicle is restricted to commuting to and from work and *De minimis* use.
- b. Consistent with RIS regulations, use of a City vehicle for commuting is considered taxable compensation. This includes commuting use as a passenger. The City has adopted the IRS commuting rule as the method of reporting as outlined in IRS Publication 15-B.

Council Member Chatterton asked if an on-call employee could use a City vehicle for personal use while on call, as this would allow the employee to respond to an emergency within thirty minutes. Mr. Laws stated if the employee were on-call, he would allow the employee to use the vehicle for certain circumstances.

- c. To ensure proper reporting on W-2’s and liability coverage, Department Directors shall ensure that both Payroll and Risk Management are promptly notified of changes in which employees are authorized to use take-home vehicles, including vehicles allowed to be taken home to facilitate on-call responsibilities.

Council Member Petersen asked if West Point City currently complies with IRS requirements. Mr. Laws stated yes, West Point City currently adds a \$3.00 per day value to paystubs and W-2's for the use of a City vehicle.

Council Member Dawson asked if an employee riding as a passenger to and from work must also comply with the IRS requirements. Council Member Petersen stated yes, if the vehicle is City owned the passenger should also have value added to his/her paystub.

Vacation Leave - Previously part-time employees accrued vacation and sick leave at half the accrual rate as full time employees. Mr. Laws proposed the addition of the following language:

Part-time/Regular employee – Benefited/Partial Benefited employee:

Part-time employees authorized to accrue vacation leave shall accrue at the rate equal to the percentage of full-time hours (40) the employee is hired to work per week. For example, an employee hired to work 32 hours per week would accrue vacation leave at a rate of 80% of the full-time accrual rate.

Maximum Vacation Accrual Allowed - Vacation time accrued cannot be carried forward from one calendar year to the next in excess of 320 hours. Accrued vacation leave will be paid out upon termination of employment up to a maximum of 320 hours.

Council Member Dawson asked if West Point City allows an employee to cash out accrued vacation time. Mr. Laws stated no, a payout could only occur upon the termination of an employee.

Employees who wish to exhaust accrued vacation during the period of time immediately preceding their last day worked before retirement, resignation, or termination may be allowed to do so, if approved by the City manager, but shall not be eligible for accrual of leave-on-leave.

Employees do not accrue vacation leave while on a leave without pay status.

Sick Leave – Sick time off with pay is available to eligible employees for periods of temporary absence due to illness, injury, or to obtain necessary medical care for themselves, their spouse, their children, and their parents, except otherwise authorized by the City Manager. Sick leave may also be used for any City approved FMLA leave use. Sick leave hours are intended to provide income protection in event of illness, injury, medical care, or approved FMLA use. An employee is prohibited from working secondary employment during the actual hours of sick leave. Sick leave may not be used until the pay period following its accrual.

- a. Full-time/Regular employees shall accrue 3.69 hours of sick leave per pay period (96 hours annually).
- b. Part-time employees authorized to accrue sick leave shall accrue at a rate equal to the percentage of full-time hours (40) the employee is hired to work per week. For example, an employee hired to work 32 hours per week would accrue sick leave at a rate of 80% of the full-time accrual rate.
- c. Maximum Sick Leave Accrual: Sick leave accrued will be capped at 750 hours.

Mr. Laws stated that he felt sick leave needed to be capped due to the provision outlined in subsection (g) below which allows for one-third of their leave balance to be cashed out upon favorable termination and a minimum of five years with the City. The Council agreed this was a good thing to have in writing.

- d. Employees do not accrue sick leave on a leave without pay status.
- e. Employees who are unable to report to work due to illness or injury shall notify their direct supervisor must also be contact on each additional day of absence.

- f. Employees may convert one-third of all sick leave accrued between December 1<sup>st</sup> and November 30<sup>th</sup> of the preceding year to vacation leave. All sick leave used during that 12 month period shall be deducted from that one-third. For example, if an employee accrued 96 hours of sick leave between December 1<sup>st</sup> and November 30<sup>th</sup> and they used 16 hour of sick leave during that same period, they would be eligible to convert 16 hours to vacation leave (one-third of 96 hours (32 hours) less the 16 hours used).
- g. Employees who resign their employment, terminate or retire under favorable circumstances shall be paid for any unused sick leave at a rate of one-third of their sick leave balance at their last rate of pay, provided they have at least five (5) years of full-time service with West Point City. Employees terminated for cause shall not receive a sick leave pay out.
- h. Employees may be required to demonstrate the ability to perform essential job duties/or provide a medical release before returning to work.
- i. Transitional Duty (not related to Worker's Compensation) - For any non-workers compensation related injury or illness where an employee is unable to perform essential job duties, the employee's Department Director may assign transitional duty, rather than the employee having to use paid leave or leave without pay. Such transitional duty is normally limited to employees with prognosis for return to full duty, and for no more than six weeks. Such transitional duty will be coordinated through the Human Resources Division if productive work is not available in the employee's Department.
- j. Donated Leave – An employee may donate leave to another employee so long as the following conditions are met (sick leave):
- Only vacation leave of compensatory leave can be donated to another employee and shall become sick leave for the receiving employee.
  - A receiving employee must request in writing to the City Manager the need to receive donated leave and shall have exhausted all available accrued leave.
  - A donating employee shall not be reimbursed for the donated leave, either by the received employee or the City.
  - Donated leave will be used on a first in first out method. Any leave not used by the receiving employee shall be given back to the employee(s) who donated and shall begin with those who donated last.
  - All donated leave shall be confidential.

Mr. Laws stated donated leave had been given in the past, however it had never been written into policy. Therefore, he expressed the importance of implementing a policy for the donation of leave.

Council Member Dawson recommended equally splitting unused leave between all individuals who have donated the leave.

Council Member Henderson expressed his support with the implementation of a leave donation policy.

Council Member Petersen recommended not returning any sick leave to the donating employees. He recommended the donating employees only donate what the individual will actually use. He expressed concern with determining which employee should be receiving the unused donated leave.

Council Member Chatterton recommended a donation bank for sick leave. Council Member Petersen suggested that a donation bank would be difficult to track over time and that it may not be a good idea to have a running bank. Council agreed.

Mr. Laws stated the intent of the policy is only to receive enough donated time to equal the amount of time missed. He also recommended not having a long-term donation bank but suggested the any unused leave be returned back to donating employees. The Council agreed to keep the current language. Mr Laws then informed the Council that the remaining Personnel Policies & Procedures would be discussed at the next Council meeting.

The Council then adjourned into the General Session.

DRAFT



**West Point City Council Meeting  
3200 West 300 North  
West Point City, UT 84015  
February 18, 2014**

**Mayor**  
Erik Craythorne  
**Council**  
Gary Petersen, Mayor Pro Tem  
Jerry Chatterton  
Andy Dawson  
R. Kent Henderson  
Jeffrey Turner

**City Manager**  
Kyle Laws

**General Session**  
7:00 pm – Council Room

Minutes for the West Point City Council General Session held February 18, 2014 at the West Point City offices, 3200 West 300 North, West Point City, Utah 84015 with Mayor Craythorne presiding.

**MAYOR AND COUNCIL MEMBERS PRESENT** – Mayor Erik Craythorne, Council Member Kent Henderson, Council Member Gary Petersen, and Council Member Jerry Chatterton

**EXCUSED** – Council Member Jeff Turner and Council Member Andy Dawson

**CITY EMPLOYEES PRESENT** – Kyle Laws, City Manager; Evan Nelson, Administrative Services Director; Misty Rogers, City Recorder

**VISITORS PRESENT** – Mikayla Williams, Calyn Arnold, Earl Cammock, Jacob Hansen, and a Boy Scouts Group.

1. **Call to Order** – Mayor Craythorne welcomed all in attendance.
2. **Pledge of Allegiance** – Repeated by all
3. **Prayer** – Council Member Chatterton
4. **Communications and Disclosures from City Council and Mayor**

Council Member Henderson – no comment

Council Member Petersen – no comment

Council Member Chatterton stated he currently serves as a board member for the Mosquito Abatement District Davis. He recently had the opportunity to attend a National meeting in Seattle to receive training and new information with regards to mosquitos and possible upcoming issues. Council Member Chatterton stated within the next few years, this area could see another mosquito virus. He then invited those in attendance to attend the March 4, 2014 City Council meeting to learn additional information from the Director of the Mosquito District Davis.

Mayor Craythorne stated that he has had the opportunity to meet and work with Mayors in Davis County. He informed those in attendance that the Mayors, County Commissioners, and Members of Council Government in Davis County would soon be meeting at Boondocks to play laser tag prior to their regular COG (Council of Governments) meeting

Mayor Craythorne then stated that he and Mr. Laws have been attending a Legislative Policy Meeting every Monday for the past few weeks. He then stated the session has remained quiet thus far. Mayor Craythorne stated that he and Mr. Laws would continue to attend the Legislative Policy Meetings and represent West Point City.

**5. Communications from Staff**

Mr. Laws stated that Representative Paul Ray will be holding a Town Hall Meeting at West Point City Hall on Wednesday, February 26, 2014 at 7:00pm.

Mayor Craythorne thanked the West Point City Staff for all they do.

**6. Adoption of Minutes from the January 21, 2014 Council Meeting – Mrs. Misty Rogers**

Council Member Petersen motioned to approve the January 21, 2014 City Council Minutes.  
Council Member Henderson seconded the motion.

The Council unanimously agreed.

**7. Citizen Comment**

Earl Cammack - 4177 West 300 North, West Point City

Mr. Cammack thanked the Council, Mr. Paul Rochell, and the Public Works Department for their assistance with flooding below the Bluff. However, he expressed concern with a 10" pipe installed in the street on 300 North, as he believed an 18" pipe should have been installed. Mr. Cammack stated he was concerned that future flooding would occur. He requested that the City Council consider other options to assist with or alleviate flooding in the area.

**8. Resolution No. 02-18-2014A, Consideration of Adoption of City Council Rules of Procedure – Mr. Kyle Laws**

Mr. Laws informed those in attendance that State law requires a Municipal Legislative body to adopt Rules of Order and Procedure to govern a public meeting of the legislative body. He then stated the Council had discussed the proposed City Council Rules of Procedure in previous meeting. Mr. Laws informed the Council that Mr. Felshaw King, the West Point City Attorney had reviewed the policy. At the advice of Mr. King, minor revisions were made throughout the policy.

Mayor Craythorne informed those in attendance that the City Council Rules of Procedure is a written policy to be followed by the Council.

Mr. Laws informed those in attendance that West Point City operates under a six-member council form of government. Administrative powers previously held by the mayor or City Council has been delegated to the City Manager.

Council Member Petersen asked for explanation with regards to a six-member form of government. Mr. Laws stated, in a six-member form of government, the mayor is the sixth member of the Council but is not a voting member; he is the ceremonial officer and chairs of the meetings. Only in certain instances does the mayor have the opportunity to vote.

Council Member Chatterton motioned to approve Resolution No. 02-18-2014A, Adoption of City Council Rules of Procedure.

Council Member Henderson seconded the motion.

The Council unanimously agreed.

**9. Motion to Adjourn**

Council Member Petersen motioned to adjourn.

Council Member Chatterton seconded the motion.

The Council unanimously agreed.

Mayor Craythorne thanked those in attendance.

\_\_\_\_\_  
ERIK CRAYTHORNE, MAYOR

\_\_\_\_\_  
DATE

\_\_\_\_\_  
MISTY ROGERS, CITY RECORDER

\_\_\_\_\_  
DATE

DRAFT